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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/738,430	12/17/2003	Yi Yen Lin	10113501	8187

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QUINTERO LAW OFFICE
1617 BROADWAY, 3RD FLOOR
SANTA MONICA, CA 90404

EXAMINER

BALAOING, ARIEL A

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/738,430	Applicant(s) LIN, YI YEN	
	Examiner Ariel Balaoing	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/06/2006 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4-14, 16-21 are rejected under 35 U.S.C. 102(e) as being anticipated by FRANCK et al (US 6,397,081 B1).

Regarding claim 1, FRANCK discloses a body (Figures 3 and 4) including a first concave portion **24** (inner housing, Figures 3 and 4; col. 3, line18-65) and a second concave portion **44** (SIM recess/depression, Figures 3 and 4; col. 3, line18-65); a sliding

holder **26** disposed in the first concave portion of the body (Figures 3 and 4), the holder slidable between a first position overlapping the second concave portion and a second position not overlapping the second concave portion (col. 1, line 35-50; col. 3, line 64-col. 4, line 17; lid is slid and pivoted to an overlapping and non-overlapping area of the SIM depression); a SIM card removable disposable in the second concave portion of the body, wherein the SIM card is abutted to the holder so that the holder is slid to second position from the first position during the disposition of the SIM card in the second concave portion, and the holder returns from the second position to the first position so as to fix the SIM card in the second concave portion when the SIM card is located in the second concave portion (col. 1, line 35-50; col. 3, line 64-col. 4, line 17; lid is slid and pivoted to an overlapping and non-overlapping area of the SIM depression).

Regarding claim 2, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the body includes a first contact in the second concave portion, and the SIM card includes a second contact corresponding to the first contact, whereby the SIM card is electrically connected to the body by the second contact contacting the first contact (col. 3, line 42-65).

Regarding claim 4, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the depth of the first concave portion is shallower than that of the second concave portion (Figure 3; col. 3, line 9-35; SIM recess resides within the inner housing).

Regarding claim 5, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the first concave portion is formed with a hole and the holder includes a protrusion **29, 29a, 29b, 27** corresponding to the hole, whereby the holder is fixed in the first concave portion by inserting the protrusion into the hole (col. 3, line 66-col. 4, line 17).

Regarding claim 6, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the body includes an abutting surface between the first concave portion and the second concave portion and the holder includes an elastic portion corresponding to the abutting surface, whereby the holder is disposed in the first concave portion of the body in a moveable manner by the elastic portion abutting the abutting surface (col. 3, line 35-40; col. 3, line 66-col. 4, line 17; the lid provides elastic properties abutting to a surface of the inner housing).

Regarding claim 7, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the holder includes an inclined surface opposite to a surface formed with the elastic portion (Figure 7).

Regarding claim 8, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the holder includes an inclined surface, and the inclined surface is abutted by the SIM card during the disposition of the SIM card in the second concave portion (col. 3, line 50-65).

Regarding claim 9, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the holder includes a released hole to assist in the movement of the holder (31; col. 3, line 18-35).

Regarding claim 10, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses a mobile phone with a SIM card holder (abstract) comprising: a body (Figure 3, 4); a sliding holder 26 disposed on the body, the holder slidable between a first position and a second position (col. 1, line 35-50; col. 3, line 64-col. 4, line 17); and a SIM card removably disposable on the body, wherein the SIM card is abutted by the holder so that the holder is slid to the second position from the first position so as not to overlap the SIM card during disposition of the SIM card on the body, and the holder returns from the second position to the first position to overlap the SIM card so as to fix the SIM card on the body when the SIM card is located on the body (col. 1, line 35-50; col. 3, line 64-col. 4, line 17).

Regarding claim 11, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the body includes a first concave portion, and the holder is disposed therein (inner housing, Figures 3 and 4; col. 3, line 18-65).

Regarding claim 12, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the first concave portion is formed with a hole and the holder includes a protrusion corresponding to the hole, whereby the holder is fixed in the first concave portion by inserting the protrusion into the hole (col. 3, line 66-col. 4, line 17).

Regarding claim 13, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the body includes a second concave portion for receiving the SIM card therein, and the depth of the first concave portion is shallower than that of the second concave portion (Figure 3; col. 3, line 9-35; SIM recess resides within the inner housing).

Regarding claim 14, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the body includes a first contact in the second concave portion, and the SIM card includes a second contact corresponding to the first contact, whereby the SIM card is electrically connected to the body by the second contact contacting the first contact (col. 3, line 42-65).

Regarding claim 16, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the body includes an abutting surface between the first concave portion and the second concave portion and the holder includes an elastic portion corresponding to the abutting surface, whereby the holder is disposed in the first concave portion of the body in a moveable manner by the elastic portion abutting the abutting surface (col. 3, line 35-40; col. 3, line 66-col. 4, line 17; the lid provides elastic properties abutting to a surface of the inner housing).

Regarding claim 17, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the holder

includes an inclined surface opposite to a surface formed with the elastic portion (Figure 7).

Regarding claim 18, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the holder includes an inclined surface, and the inclined surface is abutted by the SIM card during the disposition of the SIM card in the second concave portion (col. 3, line 50-65).

Regarding claim 19, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the holder includes a released hole to assist in the movement of the holder (31; col. 3, line 18-35).

Regarding claim 20, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the body includes an abutting surface between the first concave portion and the second concave portion, and the holder includes an elastic portion corresponding to the abutting surface, wherein the elastic member is compressed against the abutting surface by movement of the holder from the first position to the second position, and elastic force from the compressed elastic member returns the holder from the second position to the first position when the holder is released while in the second position (col. 1, line 36-50; col. 3, line 9-col. 4, line 17).

Regarding claim 21, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. FRANCK further discloses wherein the body includes an abutting surface between the first concave portion and the second concave portion, and the holder includes an elastic portion corresponding to the abutting surface,

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wherein the elastic member is compressed against the abutting surface by movement of the holder from the first position to the second position, and elastic force from the compressed elastic member returns the holder from the second position to the first position when the holder is released while in the second position (col. 1, line 36-50; col. 3, line 9-col. 4, line 17).

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 3 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over FRANCK et al (US 6,397,081 B1) in view of SAKAGUCHI et al (US 2002/0094841 A1).

Regarding claims 3 and 15, see the rejections of the parent claims concerning the subject matter these claims are dependent upon. However, FRANCK does not expressly disclose wherein the first contact is an elastic member, and the SIM card is ejected from the second concave portion by the first contact when the holder is moved to the second position from the first position. SAKAGUCHI discloses wherein the first contact is an elastic member, and the SIM card is ejected from the second concave portion by the first contact when the holder is moved to the second position from the first position (abstract; paragraph 26-29; SIM card is elastically held to second concave by the holder, and can be released by moving the holder. The elastic contacts provided for the SIM card will inherently eject the card from the holder when pressure is relieved). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify FRANCK to include the elastic contacts taught by

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SAKAGUCHI, as it is well known in the art of IC and SIM card holder manufacturing to include electrical contacts that provide elastic pressure to a SIM card when inserted, as this provides a stronger contact point between the SIM card and a holder.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ariel Balaoing whose telephone number is (571) 272-7317. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 AM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ariel Balaoing – Art Unit 2617

1/17/6

AB


GEORGE ENG
SUPERVISORY PATENT EXAMINER